

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: February 16, 2005

Division: County Attorney

Bulk Item: Yes ☒ No ☐

Staff Contact Person: Pedro Mercado

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**AGENDA ITEM WORDING:**

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Authorization to enter into settlement agreement with TSA.

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**ITEM BACKGROUND:**

TSA issued 5 notices of violation to KWLA. KWLA requested an informal conference pursuant to TSA regulations to resolve the notices. At the informal conference a proposed settlement of \$7,000 was reached to administratively resolve the 5 issued notices and 6 additional pending notices of violation.

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**PREVIOUS RELEVANT BOCC ACTION:**

None

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**CONTRACT/AGREEMENT CHANGES:**

N/A

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**STAFF RECOMMENDATIONS:**

Approval

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**TOTAL COST:** \$7,000

**BUDGETED:** Yes ☐ No ☒

**COST TO COUNTY:** \$7,000

**SOURCE OF FUNDS:** GRANT CONTINGENCY FUND

**REVENUE PRODUCING:** Yes ☐ No ☐ **AMOUNT PER MONTH** ☐ **Year** ☐

**APPROVED BY:** County Atty *[Signature]* OMB/Purchasing ☐ Risk Management ☐

**DIVISION DIRECTOR APPROVAL:**

*[Signature]* 01/31/05  
J. R. Collins

**DOCUMENTATION:** Included ☐ Not Required ☒

**DISPOSITION:** \_\_\_\_\_

**AGENDA ITEM #** \_\_\_\_\_



**Transportation  
Security  
Administration**

U.S. Department of Homeland Security  
Transportation Security Administration  
Office of Counsel  
5850 T. G. Lee Boulevard, Suite 610,  
Orlando, Florida 32822

January 24, 2005

**Pedro J. Mercado**  
Assistant County Attorney  
P.O. Box 1026  
Key West, FL 33041-1026

**Re: TSA Notices of Proposed Civil Penalty against  
the Monroe County Aviation Department (MCAD) in  
cases No. 2004-EYW-0048, 49, 50, 51, 54**

Dear Mr. Mercado,

This is to confirm our discussions on 01/21/05 in the continuation of the "informal conference" conducted pursuant to 49 CFR 1503.16. In consideration of the numerous matters raised by both sides **MCAD Counsel and TSA Counsel agreed to settle the matter on the following TERMS:**

#1 - MCAD will present this settlement to the MCAD Board on 02/16/05 recommending approval, and if approval is received MCAD will, as soon as practicable but not later than **March 2, 2005**, send payment of **\$7000.00** by **certified check or money order** payable to the "Transportation Security Administration," with the above **case numbers** on the face of the certified check or money order, to:

**U.S. Dept. of Homeland Security  
Transportation Security Administration  
P.O. Box 409066  
Atlanta, GA 30384-9066**

#2 - If the above settlement terms are complied with, TSA will accept receipt of the payment specified above in **full resolution of the cases noted above** and will issue an Order acknowledging that fact. That order will also specify:

- That in light of a **factual disagreement** remaining between TSA and MCAD on case **2004-EYW-0048, TSA will close that case without any finding of violation.**
- That the following TSA cases pending against MCAD (2004-EYW-0058, 60, 61, 65, 68, & 71) will all be resolved administratively by TSA with no civil penalty.**

If the settlement terms are not met, TSA intends to proceed with the civil penalty process on the five individual cases under discussion and on all of the subsequent cases noted above where such action is warranted.

If you believe this is not an accurate representation of our agreement or if you have any questions regarding this matter please contact me immediately at the numbers below.

-Your cooperation on this matter involving transportation security is appreciated.

Sincerely,



**William B. Thomas**

TSA Supervisory Counsel

Office - (407) 852-9429; Cell - (407) 697-1912

FAX - (407) 852-9452

E-mail - William.B.Thomas@DHS.gov